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BILL NO. 2006-44

ORDINANCE NO. 5852

AN ORDINANCE TO EXTEND THE BOUNDARIES OF THE CITY, TO PARTICULARLY DESCRIBE THE LAND TO BE ANNEXED, TO MAKE ITS INHABITANTS SUBJECT TO THE LAWS, OBLIGATIONS AND BENEFITS OF THE CITY, AND TO PROVIDE FOR OTHER RELATED MATTERS. (ANX-12504)

Sponsored by: Councilman Steven D. Ross Summary: Annexes property described generally as located at 6820 West Ann Road.

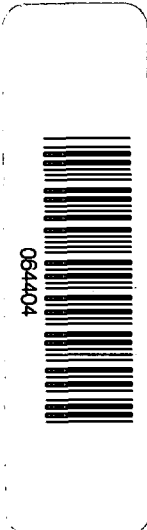
THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY

ORDAIN AS FOLLOWS:

SECTION 1: The corporate limits of the City of Las Vegas, Nevada, are hereby extended to annex, include, and make a part of the City of Las Vegas, Nevada, the following described real property:

That portion of the Southeast Quarter (SE 1/4) of the Southeast Quarter (SE 1/4) of the Southeast Quarter (SE 1/4) of Section 27, Township 19 South, Range 60 East, M.D.M., in the County of Clark, State of Nevada, being LOT 1 of the Parcel Map in File 96, Page 77 of Clark County, Nevada Records, and the adjacent half street right of way of RAINBOW BOULEVARD (55.00 feet wide as measured from centerline thereof), and the adjacent half street right of way of ANN ROAD (55.00 feet wide as measured from centerline thereof) described as follows:

BEGINNING at the southeast corner of said Section 27, said corner also being the centerline intersection of RAINBOW BOULEVARD and ANN ROAD; thence along the east line of the Southeast Quarter (SE 1/4) of the Southeast Quarter (SE 1/4) of the Southeast Quarter (SE 1/4) of said Section 27 and the centerline of RAINBOW BOULEVARD, North 00°10'17" West 301.26 feet; thence leaving said east line, South 89°49'43" West 55.00 feet to the east line of said RAINBOW BOULEVARD at the northeast corner of said LOT 1; thence along the north line of said LOT 1, beginning with a non-tangent curve, concave northwesterly, having a radius of 20.00 feet, the



1 radial line through said beginning bears South 48°45'42" East; thence
2 southwesterly through a central angle of 48°35'25" and an arc length of 16.96
3 feet; thence South 00°10'17" East 5.00 feet; thence South 89°49'43" West
4 270.00 feet to the northwest corner of said LOT 1; thence along the west line
5 of said LOT 1, South 00°10'17" East 238.04 feet to the southwest corner of
6 said LOT 1 on the north line of said ANN ROAD; thence continuing South
7 00°10'17" East 55.00 feet to the centerline of said ANN ROAD and the south
8 line of the Southeast Quarter (SE 1/4) of the Southeast Quarter (SE 1/4) of
9 said Section 27; thence along said south line, North 89°13'48" East 340.02'
10 to the POINT OF BEGINNING.

11
12 BASIS OF BEARING: North 89°13'48" East, being the south line of the
13 Southeast Quarter (SE 1/4) of the Southeast Quarter (SE 1/4) of Section 27,
14 Township 19 South, Range 60 East, M.D.M., as shown in Parcel Map in File
15 96, Page 77 of Clark County, Nevada Records.

16 Prepared by:
17 Brian Yu PLS,
18 731 S. Fourth Street,
19 Public Works, City of Las Vegas,
20 Las Vegas, Nevada, 89101

21 SECTION 2: The City Council hereby determines that the described territory
22 meets the requirements provided by law for annexation to the City for the following reasons:

- 23 A. The area to be annexed was contiguous to the City's boundaries at the
24 time the annexation proceedings were instituted;
- 25 B. More than one-eighth (1/8) of the aggregate external boundaries of
26 the area are contiguous to the City;
- 27 C. The territory proposed to be annexed is not included within the
28 boundaries of another incorporated city or within the boundaries of
any unincorporated town as those boundaries existed as of July 1,
1983;
- A. The City is eligible to annex the described territory since the
landowners have signed a petition constituting one hundred percent
(100%) of the owners of record of individual lots or parcels of land
within the annexation area.

SECTION 3: The City will provide police protection through the Las Vegas
Metropolitan Police Department, fire protection, street maintenance, and library services
immediately upon annexation. Garbage collection by the company franchised by the City

1 will also be provided immediately. The City sanitary sewer system will serve the proposed
2 annexation area. Any connection to or extension of this sewer line to serve the annexation
3 area shall be at the expense of the landowners. Other services, such as participation in the
4 City's recreational programs, special education classes and programs, public works planning,
5 building inspections, and other City services will also be available immediately. Utilities
6 such as gas, electricity, telephone, and water are provided by private utility companies and
7 other services to the area will not be affected by annexation. Street paving, curbs and gutters,
8 sidewalks and street lights which are not in place at the time of annexation will be installed
9 in the presently developed areas upon the request of the property owners and at their expense
10 by means of special assessment districts. Such improvements will be extended into the
11 undeveloped areas as development takes place and the need therefor arises, and will be
12 located according to the needs of the area at that time. Such installations will also be made
13 at the expense of the property owners, either by means of special assessment districts or as
14 prerequisites to the approval of subdivision plats, building permits or other land use or
15 development applications.

16 SECTION 4: The annexation of the described territory shall become
17 effective on the 29th day of September, 2006, and on that date the City will have the funds
18 appropriated in sufficient amount to finance the extension into the described territory of
19 police protection, fire protection, street maintenance, street sweeping, and street lighting
20 maintenance.

21 SECTION 5: The described territory, together with the inhabitants and
22 property thereof, shall, from and after the 29th day of September, 2006, be subject to all
23 debts, laws, ordinances and regulations in force in the City and shall be entitled to the same
24 privileges and benefits as other parts of the City, and shall be subject to municipal taxes
25 levied by the City.

26 SECTION 6: The City Engineer is hereby instructed to cause to be prepared
27 an accurate map or plat of the described territory and to record the map or plat, together with
28 a certified copy of this ordinance, in the office of the County Recorder of Clark County,

1 Nevada, which recording shall be done prior to the 29th day of September, 2006.

2 SECTION 7: The described territory, which previously has been zoned C-1
3 (County of Clark classification), is hereby classified as C-1 (City of Las Vegas
4 classification), which is deemed to be the City equivalent of the County classification.

5 SECTION 8: If any section, subsection, subdivision, paragraph, sentence,
6 clause of phrase in this ordinance or any part thereof, is for any reason held to be
7 unconstitutional, or invalid or ineffective by any court of competent jurisdiction, such
8 decision shall not affect the validity or effectiveness of the remaining portions of this
9 ordinance or any part thereof. The City Council of the City of Las Vegas hereby declares that
10 it would have passed each section, subsection, subdivision, paragraph, sentence, clause or
11 phrase thereof irrespective of the fact that any one or more sections, subsections,
12 subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional, invalid
13 or ineffective.

14 SECTION 9: All ordinances or parts of ordinances, sections, subsections,
15 phrases, sentences, clauses or paragraphs contained in the Municipal Code of the City of Las
16 Vegas, Nevada, 1983 Edition, in conflict herewith are hereby repealed.

17 PASSED, ADOPTED and APPROVED this 20th day of September
18 2006.

19 APPROVED:

20
21 By 
22 OSCAR B. GOODMAN, Mayor

23 ATTEST:


24 BARBARA JO RONEMUS, City Clerk

25 APPROVED AS TO FORM:

26 Val Steed 8-2-06
27 _____
28 Date

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The above and foregoing ordinance was first proposed and read by title to the City Council on the 16th day of August, 2006, and referred to a committee for recommendation; thereafter the committee reported favorably on said ordinance on the 20th day of September, 2006, which as a regular meeting of said Council; that at said regular meeting, the proposed ordinance was read by title to the City Council as first introduced and adopted by the following vote:

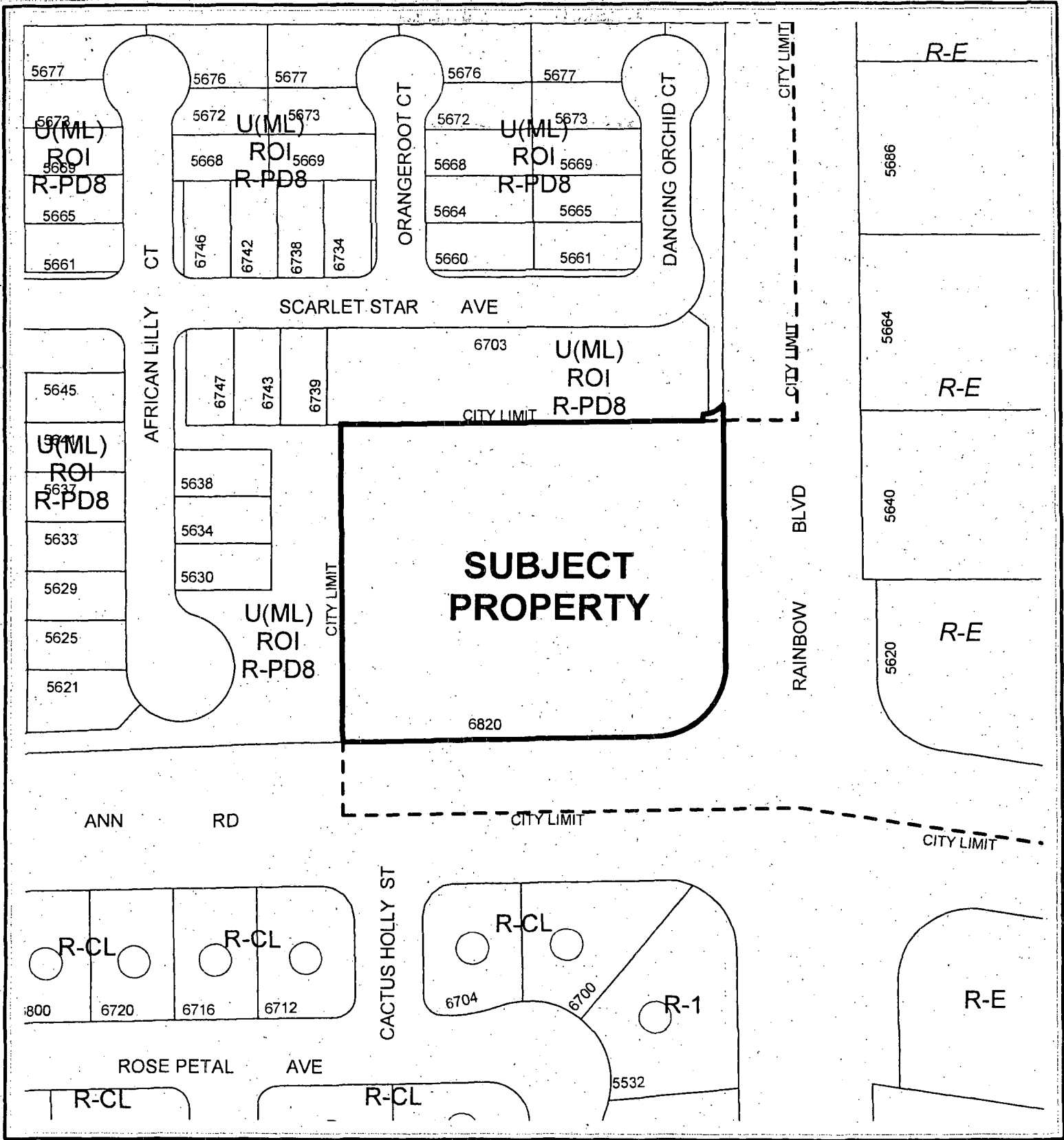
VOTING "AYE": Mayor Goodman
Councilmembers: Reese, Brown, Wolfson, Tarkanian and Ross
VOTING "NAY": None
EXCUSED: None
ABSTAINED: None

APPROVED:

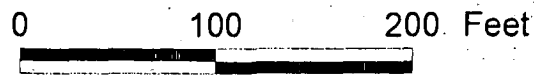

OSCAR B. GOODMAN, Mayor

ATTEST:


BARBARA JO RONEMUS, City Clerk



CASE: ANX-12504



RECEIVED
CITY CLERK

2006 SEP 13 A 10: 25

AFFP DISTRICT COURT
Clark County, Nevada

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA)
COUNTY OF CLARK) SS:

Donna Stark, being 1st duly sworn, deposes and says:

That she is the Legal Clerk for the Las Vegas Review-Journal and the Las Vegas Sun, daily newspapers regularly issued, published and circulated in the City of Las Vegas, County of Clark, State of Nevada, and that the advertisement, a true copy attached for,

LV CITY CLERK
4863797

2296311LV

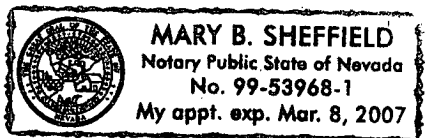
was continuously published in said Las Vegas Review Journal and/or Las Vegas Sun in 1 edition(s) of said newspaper issued from 09/08/2006 to 09/08/2006, on the following days: SEPT. 8, 2006

Signed: Donna Stark

SUBSCRIBED AND SWORN BEFORE ME THIS THE 11

day of September 2006

Mary B. Sheffield
Notary Public



BILL NO. 2006-44

AN ORDINANCE TO EXTEND THE BOUNDARIES OF THE CITY TO PARTICULARLY DESCRIBE THE LAND TO BE ANNEXED, TO MAKE ITS INHABITANTS SUBJECT TO THE LAWS, OBLIGATIONS AND BENEFITS OF THE CITY, AND TO PROVIDE FOR OTHER RELATED MATTERS. (ANX-12504)

Sponsored by: Councilman Steven D. Ross
Summary: Annexes property described generally as located at 6820 West Ann Road.

At the City Council meeting of AUGUST 16, 2006 BILL NO. 2006-44 WAS READ BY TITLE AND REFERRED TO A RECOMMENDING COMMITTEE

COPIES OF THE COMPLETE ORDINANCE ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 1ST FLOOR, 400 STEWART AVENUE, LAS VEGAS, NEVADA.

PUB: Sept. 8, 2006
LV Review-Journal

RECEIVED
CITY CLERK

2006 OCT -4 A 10:42

AFFP DISTRICT COURT
Clark County, Nevada

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA)
COUNTY OF CLARK) SS:

Donna Stark, being 1st duly sworn, deposes and says:

That she is the Legal Clerk for the Las Vegas Review-Journal and the Las Vegas Sun, daily newspapers regularly issued, published and circulated in the City of Las Vegas, County of Clark, State of Nevada, and that the advertisement, a true copy attached for,

LV CITY CLERK
4888348

2296311LV

was continuously published in said Las Vegas Review Journal and/or Las Vegas Sun in 1 edition(s) of said newspaper issued from 09/23/2006 to 09/23/2006, on the following days: SEPT. 23, 2006

BILL NO. 2006-44
Ordinance No. 5852

AN ORDINANCE TO EXTEND THE BOUNDARIES OF THE CITY, TO PARTICULARLY DESCRIBE THE LAND TO BE ANNEXED, TO MAKE ITS INHABITANTS SUBJECT TO THE LAWS, OBLIGATIONS AND BENEFITS OF THE CITY, AND TO PROVIDE FOR OTHER RELATED MATTERS. (ANX-12504)

Sponsored by: Councilman Steven D. Ross Summary: Annexes property described generally as located at 6820 West Ann Road.

The above and foregoing ordinance was first proposed and read by title to the City Council on the 18th day of August 2006 and referred to a committee for recommendation; thereafter the committee reported favorably on said ordinance on the 20th day of September 2006, which was a regular meeting of said City Council; and that at said regular meeting the proposed ordinance was read by title to the City Council as first introduced and was adopted by the following vote:

VOTING "AYE": Mayor Goodman and Councilmembers Reese, Brown, Weekly, Wolfson, Tarkenton, and Ross
VOTING "NAY": NONE
EXCUSED: NONE

COPIES OF THE COMPLETE ORDINANCE ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 1ST FLOOR, 400 STEWART AVENUE, LAS VEGAS, NEVADA.

PUB: September 23, 2006
LV Review-Journal

Signed: Donna Stark

SUBSCRIBED AND SWORN BEFORE ME THIS THE 26

day of September 2006

Mary B. Sheffield
Notary Public



20060928-0001962

Fee: \$23.00
N/C Fee: \$0.00

09/28/2006 09:39:20
T20060168362

Requestor:
LAS VEGAS CITY

Charles Harvey PUN
Clark County Recorder Pgs: 10

1 APN: 125-27-803-007

5 CERTIFIED AS A TRUE COPY

6 Deputy [Signature]
CITY CLERK, CITY OF LAS VEGAS
NEVADA
9/28/06 5 of 5 pages

8 ORIGINAL

BILL NO. 2006-44

9 ORDINANCE NO. 5852

10 (10)

11 AN ORDINANCE TO EXTEND THE BOUNDARIES OF THE CITY, TO
12 PARTICULARLY DESCRIBE THE LAND TO BE ANNEXED, TO MAKE ITS
13 INHABITANTS SUBJECT TO THE LAWS, OBLIGATIONS AND BENEFITS OF THE
14 CITY, AND TO PROVIDE FOR OTHER RELATED MATTERS. (ANX-12504)

15 Sponsored by: Councilman Steven D. Ross Summary: Annexes property described
16 generally as located at 6820 West Ann Road.

17 THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY
18 ORDAIN AS FOLLOWS:

19 SECTION 1: The corporate limits of the City of Las Vegas, Nevada, are
20 hereby extended to annex, include, and make a part of the City of Las Vegas, Nevada, the
21 following described real property:

22 That portion of the Southeast Quarter (SE 1/4) of the Southeast Quarter
23 (SE 1/4) of the Southeast Quarter (SE 1/4) of Section 27, Township 19 South,
24 Range 60 East, M.D.M., in the County of Clark, State of Nevada, being LOT
25 1 of the Parcel Map in File 96, Page 77 of Clark County, Nevada Records,
26 and the adjacent half street right of way of RAINBOW BOULEVARD (55.00
27 feet wide as measured from centerline thereof), and the adjacent half street
28 right of way of ANN ROAD (55.00 feet wide as measured from centerline
thereof) described as follows:

BEGINNING at the southeast corner of said Section 27, said corner also
being the centerline intersection of RAINBOW BOULEVARD and ANN
ROAD; thence along the east line of the Southeast Quarter (SE 1/4) of the
Southeast Quarter (SE 1/4) of the Southeast Quarter (SE 1/4) of said Section
27 and the centerline of RAINBOW BOULEVARD, North 00°10'17" West
301.26 feet; thence leaving said east line, South 89°49'43" West 55.00 feet
to the east line of said RAINBOW BOULEVARD at the northeast corner of
said LOT 1; thence along the north line of said LOT 1, beginning with a
non-tangent curve, concave northwesterly, having a radius of 20.00 feet, the

1 radial line through said beginning bears South 48°45'42" East; thence
2 southwesterly through a central angle of 48°35'25" and an arc length of 16.96
3 feet; thence South 00°10'17" East 5.00 feet; thence South 89°49'43" West
4 270.00 feet to the northwest corner of said LOT 1; thence along the west line
5 of said LOT 1, South 00°10'17" East 238.04 feet to the southwest corner of
6 said LOT 1 on the north line of said ANN ROAD; thence continuing South
7 00°10'17" East 55.00 feet to the centerline of said ANN ROAD and the south
8 line of the Southeast Quarter (SE 1/4) of the Southeast Quarter (SE 1/4) of
9 said Section 27; thence along said south line, North 89°13'48" East 340.02'
10 to the POINT OF BEGINNING.

11 BASIS OF BEARING: North 89°13'48" East, being the south line of the
12 Southeast Quarter (SE 1/4) of the Southeast Quarter (SE 1/4) of Section 27,
13 Township 19 South, Range 60 East, M.D.M., as shown in Parcel Map in File
14 96, Page 77 of Clark County, Nevada Records.

15 Prepared by:
16 Brian Yu PLS,
17 731 S. Fourth Street,
18 Public Works, City of Las Vegas,
19 Las Vegas, Nevada, 89101

20 SECTION 2: The City Council hereby determines that the described territory
21 meets the requirements provided by law for annexation to the City for the following reasons:

- 22 A. The area to be annexed was contiguous to the City's boundaries at the
23 time the annexation proceedings were instituted;
- 24 B. More than one-eighth (1/8) of the aggregate external boundaries of
25 the area are contiguous to the City;
- 26 C. The territory proposed to be annexed is not included within the
27 boundaries of another incorporated city or within the boundaries of
28 any unincorporated town as those boundaries existed as of July 1,
1983;
- 29 D. The City is eligible to annex the described territory since the
30 landowners have signed a petition constituting one hundred percent
(100%) of the owners of record of individual lots or parcels of land
within the annexation area.

31 SECTION 3: The City will provide police protection through the Las Vegas
32 Metropolitan Police Department, fire protection, street maintenance, and library services
33 immediately upon annexation. Garbage collection by the company franchised by the City

1 will also be provided immediately. The City sanitary sewer system will serve the proposed
2 annexation area. Any connection to or extension of this sewer line to serve the annexation
3 area shall be at the expense of the landowners. Other services, such as participation in the
4 City's recreational programs, special education classes and programs, public works planning,
5 building inspections, and other City services will also be available immediately. Utilities
6 such as gas, electricity, telephone, and water are provided by private utility companies and
7 other services to the area will not be affected by annexation. Street paving, curbs and gutters,
8 sidewalks and street lights which are not in place at the time of annexation will be installed
9 in the presently developed areas upon the request of the property owners and at their expense
10 by means of special assessment districts. Such improvements will be extended into the
11 undeveloped areas as development takes place and the need therefor arises, and will be
12 located according to the needs of the area at that time. Such installations will also be made
13 at the expense of the property owners, either by means of special assessment districts or as
14 prerequisites to the approval of subdivision plats, building permits or other land use or
15 development applications.

16 SECTION 4: The annexation of the described territory shall become
17 effective on the 29th day of September, 2006, and on that date the City will have the funds
18 appropriated in sufficient amount to finance the extension into the described territory of
19 police protection, fire protection, street maintenance, street sweeping, and street lighting
20 maintenance.

21 SECTION 5: The described territory, together with the inhabitants and
22 property thereof, shall, from and after the 29th day of September, 2006, be subject to all
23 debts, laws, ordinances and regulations in force in the City and shall be entitled to the same
24 privileges and benefits as other parts of the City, and shall be subject to municipal taxes
25 levied by the City.

26 SECTION 6: The City Engineer is hereby instructed to cause to be prepared
27 an accurate map or plat of the described territory and to record the map or plat, together with
28 a certified copy of this ordinance, in the office of the County Recorder of Clark County,

1 Nevada, which recording shall be done prior to the 29th day of September, 2006.

2 SECTION 7: The described territory, which previously has been zoned C-1
3 (County of Clark classification), is hereby classified as C-1 (City of Las Vegas
4 classification), which is deemed to be the City equivalent of the County classification.

5 SECTION 8: If any section, subsection, subdivision, paragraph, sentence,
6 clause of phrase in this ordinance or any part thereof, is for any reason held to be
7 unconstitutional, or invalid or ineffective by any court of competent jurisdiction, such
8 decision shall not affect the validity or effectiveness of the remaining portions of this
9 ordinance or any part thereof. The City Council of the City of Las Vegas hereby declares that
10 it would have passed each section, subsection, subdivision, paragraph, sentence, clause or
11 phrase thereof irrespective of the fact that any one or more sections, subsections,
12 subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional, invalid
13 or ineffective.

14 SECTION 9: All ordinances or parts of ordinances, sections, subsections,
15 phrases, sentences, clauses or paragraphs contained in the Municipal Code of the City of Las
16 Vegas, Nevada, 1983 Edition, in conflict herewith are hereby repealed.

17 PASSED, ADOPTED and APPROVED this 20th day of September
18 2006.

19 APPROVED:

20
21 By 
22 OSCAR B. GOODMAN, Mayor

23 ATTEST:
24 
BARBARA JO RONEMUS, City Clerk

25 APPROVED AS TO FORM:
26 Val Steed 8-2-06
27 Date
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The above and foregoing ordinance was first proposed and read by title to the City Council on the 16th day of August, 2006, and referred to a committee for recommendation; thereafter the committee reported favorably on said ordinance on the 20th day of September, 2006, which as a regular meeting of said Council; that at said regular meeting, the proposed ordinance was read by title to the City Council as first introduced and adopted by the following vote:

VOTING "AYE": Mayor Goodman
Councilmembers: Reese, Brown, Wolfson, Tarkanian and Ross

VOTING "NAY": None

EXCUSED: None

ABSTAINED: None



APPROVED:

Oscar B. Goodman
OSCAR B. GOODMAN, Mayor

ATTEST:

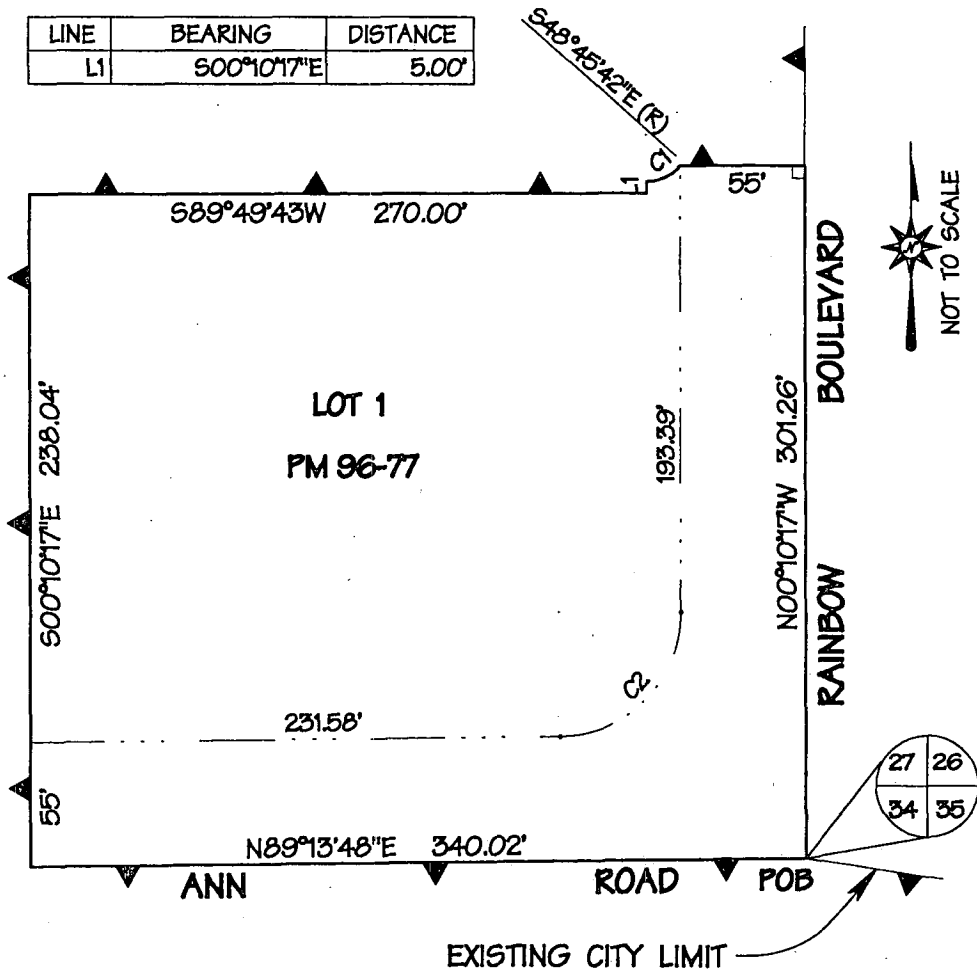
Barbara Jo Ronemus
BARBARA JO RONEMUS, City Clerk

WHEN RECORDED PLEASE MAIL TO:
THOMAS A. PERRIGO
Planning and Development Department
731 South Fourth Street
Las Vegas, Nevada 89101

**PORTION OF THE SE 1/4, SE 1/4, SE 1/4, SEC 27,
T19S, R60E, M.D.M.,**

LINE	DELTA	RADIUS	ARC LENGTH
C1	48°35'25"	20.00'	16.96'
C2	89°24'05"	54.00'	84.26'

LINE	BEARING	DISTANCE
L1	S00°10'17"E	5.00'



ANX-12504

ANNEXED TO THE CITY OF LAS VEGAS UNDER ORDINANCE No. _____

THE MAP EXHIBIT WAS PREPARED PER NRS 268.600 FROM THE DATA ON THE PARCEL MAP IN FILE 96, PAGE 77 OF CLARK COUNTY, NEVADA RECORDS; SAID EXHIBIT IS NOT A RECORD OF SURVEY AS DEFINED BY NRS 625.340 TO 625.38

PETITION FOR ANNEXATION

TO: THE CITY COUNCIL

The undersigned, being owners of real property situated within the boundaries of the territory hereinafter described, do hereby petition the City Council to annex and include within the corporate limits of the City of Las Vegas, Nevada, pursuant to the provisions of the Nevada Revised Statutes 268.570 through 268.608, inclusive, the territory being more particularly described as follows, to-wit:

1 parcel (approximately 1.54 acre(s)) located at NORTHWEST CORNER OF RAINBOW BOULEVARD AND ANN ROAD, an EXISTING RETAIL STORE - APN 125-27-803-007

Number of Acres to be Annexed:

1.54

General Location of Annexation Area:

NORTHWEST CORNER OF RAINBOW BOULEVARD
AND ANN ROAD

Respectfully submitted,

Signature:


RAINBOW-REGAL, LLC

DANIEL AMBROSE MAININI

Name (Print):

RAINBOW-REGAL, LLC

Address:

P.O. BOX 700760

SAN JOSE, CALIFORNIA 95170-0760

Telephone:

(408) 551-6001

AGREEMENT

We, the Petitioners requesting annexation into the City of Las Vegas, offer this Petition for Annexation as consideration for the furnishing of sewer services by the City of Las Vegas to our property, as described above. We understand that the City will not undertake the actual annexation process until our property meets the requirements outlined in NRS 268.570 through 268.608.

We intend this Petition and Agreement to be for the express benefit of the above-described property. We intend this Petition and Agreement to be binding against ourselves, our heirs and our assigns upon furnishment of said sewer services. We intend that subsequent purchasers of the above-described property be put on notice of this covenant running with the land, and, for that purpose hereby consent that this Petition and Agreement shall be recorded.


RAINBOW-REGAL, LLC

DANIEL AMBROSE MAININI

DANIEL AMBROSE MAININI

CERTIFICATE

I, Daniel R. Mainini, certify that I am a (the) MANAGING MEMBER of the limited liability company named as Owner in the foregoing Agreement; that ANITA E. BROWN, who signed said Agreement on behalf of the Owner was then a (the) MANAGING MEMBER of that company; and that he or she was duly authorized to sign said Agreement for and in behalf of that company.

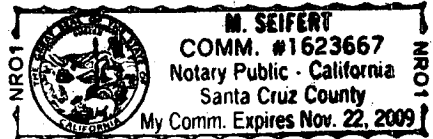
OWNER
[Signature]
(Manager, Agent or Member)

STATE OF California)
)
COUNTY OF Santa Cruz)

ss.

On this 13 day of March, 2006, before me personally appeared Daniel Mainini, known or proved to me to be the person who executed the above instrument, who acknowledged that he is a (the) managing member of Rainbow-Regal, LLC, the company named as Owner above, and that he executed the foregoing instrument on behalf of said company for the purposes therein stated.

[Signature] Santa Cruz, CA.
NOTARY PUBLIC
IN AND FOR SAID COUNTY AND STATE



PLEASE COMPLETE FORM IN BLACK INK.
DO NOT SIGN IN 1-INCH MARGINS

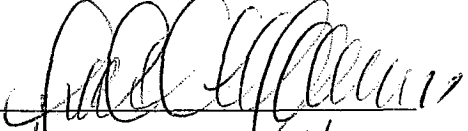
WHEN RECORDED, MAIL TO:

Land Development Services
Department of Public Works
400 E. Stewart Avenue
Las Vegas, Nevada 89101

ACKNOWLEDGEMENT AND CONSENT TO AGREEMENT DATED EFFECTIVE
AS OF SEPTEMBER 13, 2005 between Richmond American Homes of Nevada, Inc., a
Colorado corporation ("Richmond") and Walgreen Co., an Illinois corporation
("Walgreens"), (the "Agreement")

Rainbow-Regal LLC, a Nevada limited liability company, owner of that certain real
property referenced in the Agreement as the Walgreens Parcel (the "Parcel Owner"),
hereby acknowledges and consents to the entry onto the Property by Richmond for the
purposes stated in the Agreement, provided Richmond agrees to hold Parcel Owner
harmless for all liability for losses and damages resulting to Parcel Owner as a result of
Richmond's entry onto the Property.

Rainbow-Regal LLC, a Nevada limited liability company

By: 
Its: MANAGING MEMBER
Date: 3/13/05